



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



January 23, 2004

**LETTER OF DEFICIENCY #WSEB 04-001**  
Certified Mail 7000 0600 0023 9932 6825

Jeanne Nickerson  
Swanzy Diner  
297 Old Homestead Highway  
East Swanzy, NH 03446

Subject: Swanzy – Public Water System: Swanzy Diner (EPA #2308010)

Dear Ms. Nickerson

The records of the Department of Environmental Services (DES) show that the Swanzy Diner water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that Standard Maximum Contaminant Level (MCL) violations for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01 have occurred and that letters of violation were issued for the following months:

**December 2003 and January 2004**

DES believes the MCL violations can be corrected and future violations prevented by taking the following actions:

- 1 **By February 6, 2004**, retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteriological occurrences; and
- 2 **By February 20, 2004**, submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and
- 3 **By March 5, 2004**, submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The copy of the consultant's written report **and the implementation schedule** as requested above should be addressed as follows:

Anne S. Bailey  
Department of Environmental Services  
Water Supply Engineering Bureau  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

**Please be reminded to carry out the public notice requirements and provide proof of public notice to DES for the December 2003 and January 2004 MCL violations.**

Please contact Anne Bailey by phone at (603) 271-0672, or by e-mail at [abailey@des.state.nh.us](mailto:abailey@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

**COPY**

Rene Pelletier, P.G., Manager  
Land Resource Programs

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cc: Gretchen Rule, DES Legal Unit  
Town of Swanzey Health Officer  
EPA Region I  
NH Dept. H&HS Restaurant Licensing